

# PETITION FOR ZONING VARIANCE 84-125-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A84.3.5.3 (103.3) 1A00.3.3 to permit

side yard setbacks of 25' instead of the required 50'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
Shirlene L. Snowden  
(Type or Print Name)  
Signature  
4714 Norfolk Avenue  
Address  
Baltimore, Md. 21207  
City and State  
Attorney for Petitioner:  
Print Name  
Address  
City and State  
Attorney's Telephone No.:  
Name  
Address  
City and State  
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of August, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of November, 1983, at 10:00 o'clock A.M.

*Carl J. ...*  
Zoning Commissioner of Baltimore County.  
(over)

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 31, 1983

COUNTY OFFICE BLDG.  
131 W. Chesapeake Ave.  
Towson, Maryland 21204

cc:  
Nicholas B. Connors  
Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Ms. Shirlene L. Snowden  
4714 Norfolk Avenue  
Baltimore, Maryland 21207

RE: Item No. 60 - Case No. 84-125-A  
Petitioner - Karl Mindel, et ux  
Variance Petition

Dear Ms. Snowden:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
*Nicholas B. Connors*  
NICHOLAS B. CONNORS  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

KNOLLCREST MANOR  
Block C  
LOT #12

Difficulty and extreme hardship have been imposed because of the following:

- 1) The Health Department sewer system requirements forces us to place this home 120' from the front road rather than the 50' as required by zoning. The shape of the lot will not allow 10' side set backs at that point on the lot. The Health Department requirements cannot be changed because of the shape of the lot and the wells on surrounding properties.
- 2) The Pie shape of the lot (220' front-61' back) reduces considerably the footage for a reasonable size home with 50' side set backs
- 3) The original planning of the development did not allow sufficient footage for the average custom size home compatible with other homes in the area
- 4) The placement of this custom built solar home will enhance and beautify the area providing 120' front set back aesthetically landscaped
- 5) Extreme financial hardship has been imposed by these additional restrictions

In summary, we are requesting a variance in order to construct a home compatible with the neighborhood and yet within the strict requirements of the Health Department.

BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

September 30, 1983

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #60 (1983-1984)  
Property Owner: Karl + Robin Mindel  
S/S Crestknoll Rd., 300' E. from centerline  
Knollcrest Rd.  
Acres: 220/65.27 X 315/296.98  
District: 8th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement 87606, executed in conjunction with the development of "Knollcrest Manor", of which this property is a part.

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 60 (1983-1984).

Very truly yours,  
*Robert A. Minton, P.E.*  
ROBERT A. MINTON, P.E., Chief  
Bureau of Public Services

RAM:EM:PMR:ss

W-SE Key Sheet 63 NW 21 Pos. Sheet  
1W 16 F Topo 50 Tax Map

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
S/S of Crestknoll Rd., 300' E of : OF BALTIMORE COUNTY  
Knollcrest Rd., 8th District :  
KARL MINDEL, et ux, Petitioners : Case No. 84-125-A

### ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
*John W. Hession, III*  
John W. Hession, III  
People's Counsel for Baltimore County  
Rm. 223, Court House  
Towson, Maryland 21204  
494-2138

I HEREBY CERTIFY that on this 24th day of October, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. Karl Mindel, Petitioners, c/o Shirlene L. Snowden, 4714 Norfolk Avenue, Baltimore, MD 21207, Contract Purchaser.

*John W. Hession, III*  
John W. Hession, III

## BALTIMORE COUNTY

### ZONING PLANS

### ADVISORY COMMITTEE



### PETITION AND SITE PLAN

### EVALUATION COMMENTS

BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

STEPHEN E. COLLINS  
DIRECTOR

September 1, 1983

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 56, 57, 59, 60, and 62  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 56, 57, 59, 60, and 62.

*Michael S. Flanagan*  
Michael S. Flanagan  
Traffic Engineer Assoc. II

MSF/ccm

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 60, Zoning Advisory Committee Meeting of Aug 30, 1983  
Property Owner: Karl + Robin Mindel  
Location: S/S Crestknoll Road District 8  
Water Supply private Sewage Disposal private  
COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- ( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- ( ) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facility, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety; two (2) Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for Variance(s) to permit

Zoning Item # 60  
Page 2

- ( ) Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- (✓) Soil percolation tests have been conducted.  
(✓) The results are valid until NOV 10, 1983.  
(✓) Revised plans must be submitted prior to approval of the percolation tests.
- (✓) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- (✓) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test  
(✓) shall be valid until NOV 30, 1985.  
( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.
- ( ) All roads and parking areas should be surfaced with a dustless, bonding material.
- ( ) No health hazards are anticipated.
- (X) Others This lot is vacant at this time and is for sale. The owner has been notified of the pending expiration of the soil percolation test results.

*Jan J. Forrest*  
Jan J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)

BALTIMORE COUNTY  
DEPARTMENT OF PLANNING AND ZONING  
400 WEST CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204

September 21, 1983

TO: Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 60 Zoning Advisory Committee Meeting are as follows:

Property Owner: Karl & Robin Mindel  
Location: 315 Chestnut Hill Road 300' E. from centerline Knollcrest Road  
Existing Zoning: R.C. 5  
Proposed Zoning: Variance to permit a side yard setback of 25' in lieu of the required 50'.

Acres: 220/65.27 X 315/296.98  
District: 6th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82 Chapter 23, Subchapter 23-101, 23-102, 23-103, 23-104, 23-105, 23-106, 23-107, 23-108, 23-109, 23-110, 23-111, 23-112, 23-113, 23-114, 23-115, 23-116, 23-117, 23-118, 23-119, 23-120, 23-121, 23-122, 23-123, 23-124, 23-125, 23-126, 23-127, 23-128, 23-129, 23-130, 23-131, 23-132, 23-133, 23-134, 23-135, 23-136, 23-137, 23-138, 23-139, 23-140, 23-141, 23-142, 23-143, 23-144, 23-145, 23-146, 23-147, 23-148, 23-149, 23-150, 23-151, 23-152, 23-153, 23-154, 23-155, 23-156, 23-157, 23-158, 23-159, 23-160, 23-161, 23-162, 23-163, 23-164, 23-165, 23-166, 23-167, 23-168, 23-169, 23-170, 23-171, 23-172, 23-173, 23-174, 23-175, 23-176, 23-177, 23-178, 23-179, 23-180, 23-181, 23-182, 23-183, 23-184, 23-185, 23-186, 23-187, 23-188, 23-189, 23-190, 23-191, 23-192, 23-193, 23-194, 23-195, 23-196, 23-197, 23-198, 23-199, 23-200, 23-201, 23-202, 23-203, 23-204, 23-205, 23-206, 23-207, 23-208, 23-209, 23-210, 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23-586, 23-587, 23-588, 23-589, 23-590, 23-591, 23-592, 23-593, 23-594, 23-595, 23-596, 23-597, 23-598, 23-599, 23-600, 23-601, 23-602, 23-603, 23-604, 23-605, 23-606, 23-607, 23-608, 23-609, 23-610, 23-611, 23-612, 23-613, 23-614, 23-615, 23-616, 23-617, 23-618, 23-619, 23-620, 23-621, 23-622, 23-623, 23-624, 23-625, 23-626, 23-627, 23-628, 23-629, 23-630, 23-631, 23-632, 23-633, 23-634, 23-635, 23-636, 23-637, 23-638, 23-639, 23-640, 23-641, 23-642, 23-643, 23-644, 23-645, 23-646, 23-647, 23-648, 23-649, 23-650, 23-651, 23-652, 23-653, 23-654, 23-655, 23-656, 23-657, 23-658, 23-659, 23-660, 23-661, 23-662, 23-663, 23-664, 23-665, 23-666, 23-667, 23-668, 23-669, 23-670, 23-671, 23-672, 23-673, 23-674, 23-675, 23-676, 23-677, 23-678, 23-679, 23-680, 23-681, 23-682, 23-683, 23-684, 23-685, 23-686, 23-687, 23-688, 23-689, 23-690, 23-691, 23-692, 23-693, 23-694, 23-695, 23-696, 23-697, 23-698, 23-699, 23-700, 23-701, 23-702, 23-703, 23-704, 23-705, 23-706, 23-707, 23-708, 23-709, 23-710, 23-711, 23-712, 23-713, 23-714, 23-715, 23-716, 23-717, 23-718, 23-719, 23-720, 23-721, 23-722, 23-723, 23-724, 23-725, 23-726, 23-727, 23-728, 23-729, 23-730, 23-731, 23-732, 23-733, 23-734, 23-735, 23-736, 23-737, 23-738, 23-739, 23-740, 23-741, 23-742, 23-743, 23-744, 23-745, 23-746, 23-747, 23-748, 23-749, 23-750, 23-751, 23-752, 23-753, 23-754, 23-755, 23-756, 23-757, 23-758, 23-759, 23-760, 23-761, 23-762, 23-763, 23-764, 23-765, 23-766, 23-767, 23-768, 23-769, 23-770, 23-771, 23-772, 23-773, 23-774, 23-775, 23-776, 23-777, 23-778, 23-779, 23-780, 23-781, 23-782, 23-783, 23-784, 23-785, 23-786, 23-787, 23-788, 23-789, 23-790, 23-791, 23-792, 23-793, 23-794, 23-795, 23-796, 23-797, 23-798, 23-799, 23-800, 23-801, 23-802, 23-803, 23-804, 23-805, 23-806, 23-807, 23-808, 23-809, 23-810, 23-811, 23-812, 23-813, 23-814, 23-815, 23-816, 23-817, 23-818, 23-819, 23-820, 23-821, 23-822, 23-823, 23-824, 23-825, 23-826, 23-827, 23-828, 23-829, 23-830, 23-831, 23-832, 23-833, 23-834, 23-835, 23-836, 23-837, 23-838, 23-839, 23-840, 23-841, 23-842, 23-843, 23-844, 23-845, 23-846, 23-847, 23-848, 23-849, 23-850, 23-851, 23-852, 23-853, 23-854, 23-855, 23-856, 23-857, 23-858, 23-859, 23-860, 23-861, 23-862, 23-863, 23-864, 23-865, 23-866, 23-867, 23-868, 23-869, 23-870, 23-871, 23-872, 23-873, 23-874, 23-875, 23-876, 23-877, 23-878, 23-879, 23-880, 23-881, 23-882, 23-883, 23-884, 23-885, 23-886, 23-887, 23-888, 23-889, 23-890, 23-891, 23-892, 23-893, 23-894, 23-895, 23-896, 23-897, 23-898, 23-899, 23-900, 23-901, 23-902, 23-903, 23-904, 23-905, 23-906, 23-907, 23-908, 23-909, 23-910, 23-911, 23-912, 23-913, 23-914, 23-915, 23-916, 23-917, 23-918, 23-919, 23-920, 23-921, 23-922, 23-923, 23-924, 23-925, 23-926, 23-927, 23-928, 23-929, 23-930, 23-931, 23-932, 23-933, 23-934, 23-935, 23-936, 23-937, 23-938, 23-939, 23-940, 23-941, 23-942, 23-943, 23-944, 23-945, 23-946, 23-947, 23-948, 23-949, 23-950, 23-951, 23-952, 23-953, 23-954, 23-955, 23-956, 23-957, 23-958, 23-959, 23-960, 23-961, 23-962, 23-963, 23-964, 23-965, 23-966, 23-967, 23-968, 23-969, 23-970, 23-971, 23-972, 23-973, 23-974, 23-975, 23-976, 23-977, 23-978, 23-979, 23-980, 23-981, 23-982, 23-983, 23-984, 23-985, 23-986, 23-987, 23-988, 23-989, 23-990, 23-991, 23-992, 23-993, 23-994, 23-995, 23-996, 23-997, 23-998, 23-999, 24-000, 24-001, 24-002, 24-003, 24-004, 24-005, 24-006, 24-007, 24-008, 24-009, 24-010, 24-011, 24-012, 24-013, 24-014, 24-015, 24-016, 24-017, 24-018, 24-019, 24-020, 24-021, 24-022, 24-023, 24-024, 24-025, 24-026, 24-027, 24-028, 24-029, 24-030, 24-031, 24-032, 24-033, 24-034, 24-035, 24-036, 24-037, 24-038, 24-039, 24-040, 24-041, 24-042, 24-043, 24-044, 24-045, 24-046, 24-047, 24-048, 24-049, 24-050, 24-051, 24-052, 24-053, 24-054, 24-055, 24-056, 24-057, 24-058, 24-059, 24-060, 24-061, 24-062, 24-063, 24-064, 24-065, 24-066, 24-067, 24-068, 24-069, 24-070, 24-071, 24-072, 24-073, 24-074, 24-075, 24-076, 24-077, 24-078, 24-079, 24-080, 24-081, 24-082, 24-083, 24-084, 24-085, 24-086, 24-087, 24-088, 24-089, 24-090, 24-091, 24-092, 24-093, 24-094, 24-095, 24-096, 24-097, 24-098, 24-099, 24-100, 24-101, 24-102, 24-103, 24-104, 24-105, 24-106, 24-107, 24-108, 24-109, 24-110, 24-111, 24-112, 24-113, 24-114, 24-115, 24-116, 24-117, 24-118, 24-119, 24-120, 24-121, 24-122, 24-123, 24-124, 24-125, 24-126, 24-127, 24-128, 24-129, 24-130, 24-131, 24-132, 24-133, 24-134, 24-135, 24-136, 24-137, 24-138, 24-139, 24-140, 24-141, 24-142, 24-143, 24-144, 24-145, 24-146, 24-147, 24-148, 24-149, 24-150, 24-151, 24-152, 24-153, 24-154, 24-155, 24-156, 24-157, 24-158, 24-159, 24-160, 24-161, 24-162, 24-163, 24-164, 24-165, 24-166, 24-167, 24-168, 24-169, 24-170, 24-171, 24-172, 24-173, 24-174, 24-175, 24-176, 24-177, 24-178, 24-179, 24-180, 24-181, 24-182, 24-183, 24-184, 24-185, 24-186, 24-187, 24-188, 24-189, 24-190, 24-191, 24-192, 24-193, 24-194, 24-195, 24-196, 24-197, 24-198, 24-199, 24-200, 24-201, 24-202, 24-203, 24-204, 24-205, 24-206, 24-207, 24-208, 24-209, 24-210, 24-211, 24-212, 24-213, 24-214, 24-215, 24-216, 24-217, 24-218, 24-219, 24-220, 24-221, 24-222, 24-223, 24-224, 24-225, 24-226, 24-227, 24-228, 24-229, 24-230, 24-231, 24-232, 24-233, 24-234, 24-235, 24-236, 24-237, 24-238, 24-239, 24-240, 24-241, 24-242, 24-243, 24-244, 24-245, 24-246, 24-247, 24-248, 24-249, 24-250, 24-251, 24-252, 24-253, 24-254, 24-255, 24-256, 24-257, 24-258, 24-259, 24-260, 24-261, 24-262, 24-263, 24-264, 24-265, 24-266, 24-267, 24-268, 24-269, 24-270, 24-271, 24-272, 24-273, 24-274, 24-275, 24-276, 24-277, 24-278, 24-279, 24-280, 24-281, 24-282, 24-283, 24-284, 24-285, 24-286, 24-287, 24-288, 24-289, 24-290, 24-291, 24-292, 24-293, 24-294, 24-295, 24-296, 24-297, 24-298, 24-299, 24-300, 24-301, 24-302, 24-303, 24-304, 24-305, 24-306, 24-307, 24-308, 24-309, 24-310, 24-311, 24-312, 24-313, 24-314, 24-315, 24-316, 24-317, 24-318, 24-319, 24-320, 24-321, 24-322, 24-323, 24-324, 24-325, 24-326, 24-327, 24-328, 24-329, 24-330, 24-331, 24-332, 24-333, 24-334, 24-335, 24-336, 24-337, 24-338, 24-339, 24-340, 24-341, 24-342, 24-343, 24-344, 24-345, 24-346, 24-347, 24-348, 24-349, 24-350, 24-351, 24-352, 24-353, 24-354, 24-355, 24-356, 24-357, 24-358, 24-359, 24-360, 24-361, 24-362, 24-363, 24-364, 24-365, 24-366, 24-367, 24-368, 24-369, 24-370, 24-371, 24-372, 24-373, 24-374, 24-375, 24-376, 24-377, 24-378, 24-379, 24-380, 24-381, 24-382, 24-383, 24-384, 24-385, 24-386, 24-387, 24-388, 24-389, 24-390, 24-391, 24-392, 24-393, 24-394, 24-395, 24-396, 24-397, 24-398, 24-399, 24-400, 24-401, 24-402, 24-403, 24-404, 24-405, 24-406, 24-407, 24-408, 24-409, 24-410, 24-411, 24-412, 24-413, 24-414, 24-415, 24-416, 24-417, 24-418, 24-419, 24-420, 24-421, 24-422, 24-423, 24-424, 24-425, 24-426, 24-427, 24-428, 24-429, 24-430, 24-431, 24-432, 24-433, 24-434, 24-435, 24-436, 24-437, 24-438, 24-439, 24-440, 24-441, 24-442, 24-443, 24-444, 24-445, 24-446, 24-447, 24-448, 24-449, 24-450, 24-451, 24-452, 24-453, 24-454, 24-455, 24-456, 24-457, 24-458, 24-459, 24-460, 24-461, 24-462, 24-463, 24-464, 24-465, 24-466, 24-467, 24-468, 24-469, 24-470, 24-471, 24-472, 24-473, 24-474, 24-475, 24-476, 24-477, 24-478, 24-479, 24-480, 24-481, 24-482, 24-483, 24-484, 24-485, 24-486, 24-487, 24-488, 24-489, 24-490, 24-491, 24-492, 24-493, 24-494, 24-495, 24-496, 24



IN RE: PETITION ZONING VARIANCES \*  
S/S of Crestknoll Road, 300' E \*  
of Knollcrest Road - 8th \*  
Election District \*  
Karl Mindel, et ux, \*  
Petitioners \*  
Case No. 84-125-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners, by their Contract Purchaser, Shirlene L. Snowden, request side yard setbacks of 25 feet instead of the required 50 feet. The purpose of the request is to erect a new home on the subject property, as more fully described on Petitioners' Exhibit 1.

The Contract Purchaser, hereinafter referred to as "CP", appeared and testified. Protestants appeared and were represented by Counsel who also was a Protestant.

Testimony indicated that the property is zoned R.C.5. The CP has entered into a contract of sale with the Petitioners to purchase the property in question, which is unusually shaped as shown on Petitioners' Exhibit 1. In order to build, the CP needs to construct the house further back from the street, Crestknoll Road, due to a Health Department requirement that the sewer system be located in the rear of the property. The topography of the property prohibits the placement of the house elsewhere. In addition, the well must be in the rear, further limiting the possible location for the house. The CP has reduced the size of the proposed home in order to place the home in the location proposed and has made every effort to meet zoning and health requirements. She is faced with building the home as proposed or not buying the property.

The Protestants argue that the CP can purchase other property in the neighborhood which will allow compliance with the zoning regulations. This argument

is founded on a front yard setback theory. It is argued that the homes in the neighborhood, i.e., Section 2 of the development, are uniformly 50 feet from the street line. Although homes in other sections of the development are not so uniformly tailored, the Protestants argue that if the CP is allowed to build 120 feet from the street line, further deterioration of the neighborhood would occur. There does not seem to be any objection, however, to the side yard setbacks requested by the CP. Inasmuch as the CP could not build in the front, the property would be rendered useless if the Protestants' argument was to be adopted.

The CP testified that she is also concerned by the distance from the street to the proposed home, but underscores the fact that the proposed home, costing approximately \$175,000 to \$180,000 to build, would be aesthetically appropriate to the area. Testimony was uncontradicted that the CP is limited to location within the subject site. The CP made many attempts to meet the setback requirements by moving the house both horizontally and vertically, but always found that in any location other than what has been requested, the house would violate health regulations by infringing on the areas required for the well and sewer system. Due to the narrowing of the property, the placement of the home as shown on Petitioners' Exhibit 1 requires variances to the side yard setback requirements for both sides of the proposed house.

The property immediately adjoining the subject property is unimproved and there are no immediate neighbors. Other homes in the development have received side yard variances. The CP seeks relief from Section 1A04.3B.3. (103.3 and 1A00.3B.3.), pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- 2 -

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

*Anderson v. Bd. of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were to be granted, such use as proposed would not be contrary to the spirit of the regulations, and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not to be granted. It has been established that the requirements the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons above given, the variances requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of November, 1983, that the Petition for Variance to permit side yard setbacks of 25 feet instead of the required 50 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware

- 3 -

that their proceeding at this time is at their own risk until such time as the appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

*[Signature]*  
Zoning Commissioner of  
Baltimore County

ORDER RECEIVED FOR FILING

DATE *November 14, 1983*  
BY *Shirley L. Snowden*  
ADMINISTRATIVE ASSISTANT

- 4 -

PETITION FOR VARIANCE

8th Election District  
ZONING: Petition for Variance  
LOCATION: South side of Crestknoll Road, 300 ft. East of Knollcrest Road  
DATE & TIME: Wednesday, November 9, 1983 at 10:00 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit side yard setbacks of 25 ft. instead of the required 50 ft.

The Zoning Regulation to be excepted as follows:  
Section 1A04.3.B.3 (103.3 & 1A00.3B.3) - side yard setbacks in R.C. 5 (R.D.P.) zone

All that parcel of land in the Eighth District of Baltimore County

Being the property of Karl Mindel, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

Beginning at a point on the South side of Crestknoll Road, 300 ft. East of Knollcrest Road in the Knollcrest Manor Development, 8th Election District, in Baltimore County, Maryland, known as Lot No. 12 on Block C, Section 3, recorded in Liber 40, Folio 87.



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

ARNOLD JABLON  
ZONING COMMISSIONER

November 14, 1983

Mrs. Shirlene L. Snowden  
4714 Norfolk Avenue  
Baltimore, Maryland 21207

IN RE: Petition Zoning Variances  
S/S of Crestknoll Road, 300' E  
of Knollcrest Road - 8th  
Election District  
Karl Mindel, et ux, Petitioners  
Case No. 84-125-A

Dear Mrs. Snowden:

I have this date passed my Order in the above-referenced matter in accordance with the attached.

Sincerely,

*[Signature]*  
ARNOLD JABLON  
Zoning Commissioner

AJ/srl

Attachments

cc: Louis J. Glick, Esquire  
326 St. Paul Place  
Baltimore, Maryland 21202

John W. Hession, III, Esquire  
People's Counsel

October 14, 1983

Mr. & Mrs. Karl Mindel  
3 Shadow Court  
Owings Mills, Maryland 21117

NOTICE OF HEARING

Re: Petition for Variance  
S/S of Crestknoll Road, 300' E of  
Knollcrest Road  
Karl Mindel, et ux - Petitioners  
Case No. 84-125-A

TIME: 10:00 A.M.

DATE: Wednesday, November 9, 1983

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: Shirlene L. Snowden  
4714 Norfolk Avenue  
Baltimore, Maryland 21207

Jackie Margolies  
c/o Charles Steffey Realtors  
304 Reisterstown Road  
Baltimore, Maryland 21208

*[Signature]*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND No. 121580  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE *11-14-83* ACCOUNT *84-125-A*  
AMOUNT *35.00*  
RECEIVED *Shirley L. Snowden*  
FOR *11-14-83*  
*(106)* 8 042\*\*\*\*\*350010 8162A  
VALIDATION OR SIGNATURE OF CASHIER





BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

November 1, 1983

Mr. & Mrs. Karl Mindel  
3 Shadow Court  
Owings Mills, Maryland 21117

Re: Petition for Variance  
S/S Crestknoll Rd., 300' E of  
Knollcrest Road  
Karl Mindel, et ux - Petitioners  
Case No. 84-125-A

Dear Mr. & Mrs. Mindel:

This is to advise you that \$63.40 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 122970

DATE 11-9-83 ACCOUNT 01-615-0721

AMOUNT \$63.40

RECEIVED FROM Shirlene Snowden

FOR 84-125-A

1061 C 017\*\*\*\*\*634010 5092A

VALIDATION OR SIGNATURE OF CASHIER

Ms. Shirlene L. Snowden  
4714 Norfolk Ave  
Baltimore, Md. 21207

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
30th day of August, 1983.

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

Petitioner Karl Mindel, et ux  
Petitioner's  
Attorney

Received by *Nicholas B. Commodari*  
Nicholas B. Commodari  
Chairman, Zoning Plans  
Advisory Committee

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

84-125-A

District 8th Date of Posting 10-23-83

Posted for Variance

Petitioner: Karl Mindel, et ux

Location of property: S/S of Crestknoll Rd., 300' E of Knollcrest Rd.

Location of Signs: S/S of Crestknoll Rd., approx 400' E of Knollcrest Rd.

Remarks: Knollcrest Rd. Station Sign S.E. Corner of Crestknoll Rd.

Posted by *Nicholas B. Commodari* Date of return: 10-28-83

Number of Signs: 2

PETITION FOR VARIANCE  
8th Election District

ZONING: Petition for Variance  
LOCATION: South side of Crestknoll Road, 300' E. East of Knollcrest Road  
DATE & TIME: Wednesday, November 9, 1983 at 10:00 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.  
Petition for Variance to permit side yard setbacks of 25 ft. instead of the required 50 ft.  
The zoning Regulation to be excepted as follows:  
Section 1A04.3B.3 (103.3 & 1A00.3B.3) - side yard setbacks in R.C. 5 (R.D.P.) zone  
All that parcel of land in the Eighth District of Baltimore County  
Beginning at a point on the South side of Crestknoll Road, 300' E. East of Knollcrest Road in the Knollcrest Manor Development, 8th Election District, in Baltimore County, Maryland, known as Lot No. 12 on Block C, Section 3, recorded in Liber 40, Folio 87.  
Being the property of Karl Mindel, et ux, as shown on plat plan filed in the Zoning Department.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

MUNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., Oct. 20, 1983

CERTIFY that the annexed Reg. #L54537 P.O. #49342 one (1) ... previous day of Oct. 1983, in the County Times, a daily newspaper published in Westminster, Carroll County, Maryland. Carroll Herald, a weekly newspaper published in Eldersburg, Carroll County, Maryland. nity Times, a weekly newspaper published in Reisterstown, Baltimore County, Maryland.

MUNITY NEWSPAPERS OF MARYLAND, INC.

Per *James Keifer*

PETITION FOR VARIANCE  
8th Election District

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DATE & TIME: Wednesday, November 9, 1983 at 10:00 A.M.  
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BY ORDER OF  
ARNOLD JABLON  
Zoning Commissioner  
of Baltimore County  
Oct. 20.

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 20, 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 20th day of November, 1983, the 25th publication appearing on the 20th day of October, 1983.

THE JEFFERSONIAN

*L. Frank Strickland*  
Manager.

Cost of Advertisement, \$ 21.00

